

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

CITY OF DAYTON,

: Case No. 3:11-cv-383

Plaintiff,

District Judge Walter Herbert Rice  
Magistrate Judge Michael J. Newman

-vs-

A.R. ENVIRONMENTAL, INC., *et al.*, :

Defendants.

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**ORDER DENYING DEFENDANT ALEX PENLAND'S MOTION TO JOIN (DOC. 11)**

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Now before the Court is *pro se* Defendant Alex Penland's motion "to join Defendants bonding company as a Defendant." Doc. 11. Defendant Penland argues that, under Civil Rule 19, the Court must join a bonding company -- "American Contracting Services, Inc." -- as a defendant to this action.

The Court finds that the requirements for mandatory joinder under Civil Rule 19 have not been met. *See* Fed. R. Civ. P. 19(a)(1). Therefore, Defendant's motion (doc. 11) is **DENIED**. Defendant is directed to Civil Rule 14.

**IT IS SO ORDERED.**

March 6, 2012

s/ **Michael J. Newman**  
United States Magistrate Judge